



# U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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## ***News Advisory***

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Contact: Jeff Lungren/Terry Shawn  
202-225-2492

## **Sensenbrenner Highlights PATRIOT Act Conference Report Civil Liberty Safeguard #9**

WASHINGTON, D.C. – With the PATRIOT Act set to expire in 3 weeks unless the Senate approves the conference report, House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today highlighted the ninth of the dozens of civil liberties safeguards included in the PATRIOT Act conference report approved last month by a bipartisan majority of the House and pending before the U.S. Senate.

### **PATRIOT Act Conference Report Civil Liberty Safeguard #9 – Explicitly Providing for a Judicial Challenge to a National Security Letter (NSL):**

**Current law does not specify that an NSL can be challenged in court and provides no process for challenging an NSL. The conference report provides explicit authority to challenge in court an NSL under all existing statutes authorizing NSLs.** Specifically, the conference report provides that the recipient of an NSL may petition for an order modifying or setting aside the NSL request in the U.S. district court for the district where the recipient does business or resides. **This civil liberty safeguard is stronger than the Senate-passed bill, which only addressed one of the NSL statutes, does not exist under current law, and was written by Rep. Jeff Flake (R-Ariz.).**

Originally created by a Democrat-led Congress and signed into law by President Carter, NSLs are a long-standing tool by which the FBI and other appropriate federal law enforcement officials request, for sensitive foreign spying or international terrorism investigations, subscriber information and toll billing records of a wire or electronic communication service provider, such as a phone company or AOL.

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